

**PLANNING AND ZONING COMMISSION
STAFF REPORT**

April 15, 2010



Planning Exception PE 10-01: Rostell Chapman

CASE DESCRIPTION: request for approval of an exception from standards of the Subdivision Ordinance limiting cul-de-sac street lengths in subdivisions with lot sizes equal to or greater than one acre to 1,200 feet, to allow a cul-de-sac street of up to 2844 feet in length

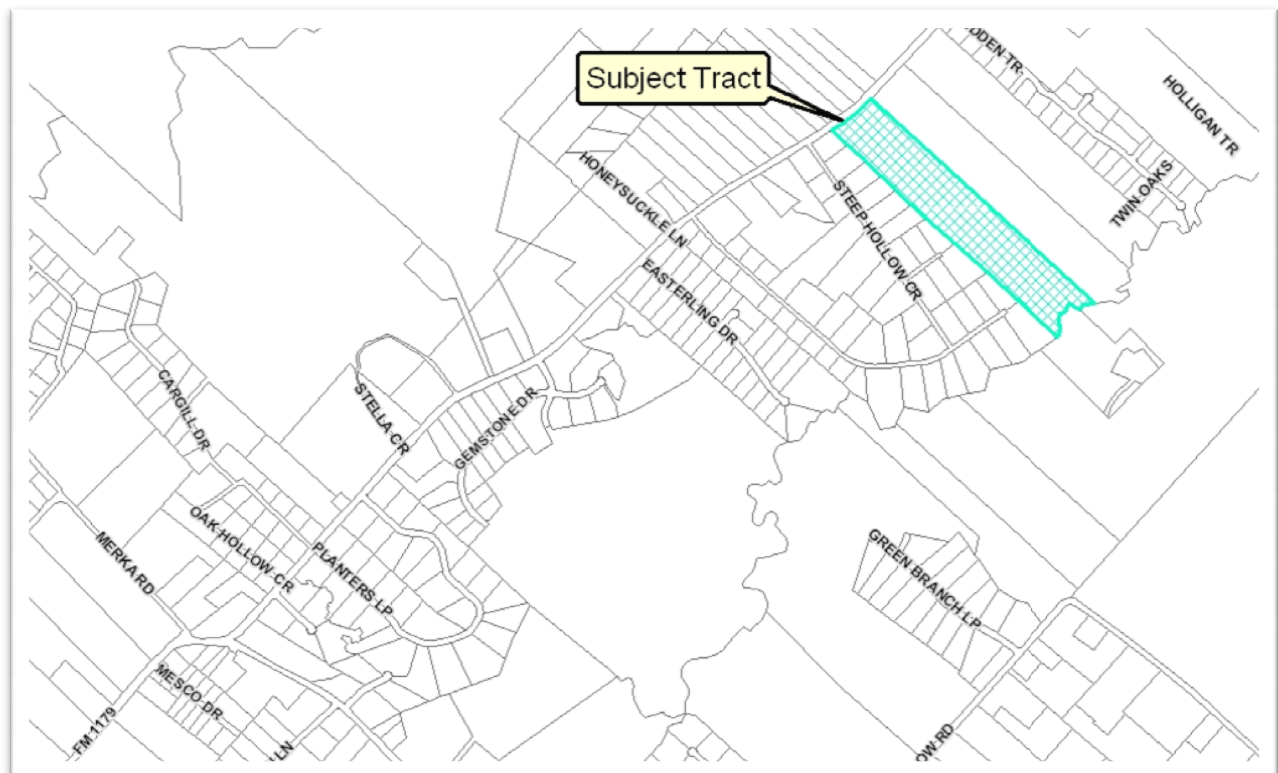
LOCATION: approximately 41.750 acres land located on the south side of FM 1179, between Steep Hollow Circle and Hidden Trail in Bryan's eastern ETJ (planned Field Creek Estates subdivision)

EXISTING LAND USE: vacant acreage

APPLICANT(S): Rostell Chapman

STAFF CONTACT: Randy Haynes, Project Planner

SUMMARY RECOMMENDATION: Staff recommends **approving** the requested exception.



BACKGROUND:

The applicants are in the process of developing 41+ acres of land along the south side of FM 1179 in Bryan's eastern extraterritorial jurisdiction (ETJ). They desire to develop this acreage with single-family home sites of at least one acre in size. As part of their development, they are proposing to divide this acreage into 30 lots and construct three streets, two of which are intended to provide for connection to future development if the tract to the east is subdivided.

The City of Bryan's Subdivision Ordinance allows cul-de-sac street lengths of up to 1,200 feet in subdivisions with lot sizes equal to or are greater than one acre. The applicants are requesting an exception from this standard, to be able to construct a cul-de-sac street (Field Creek Estates Drive) to be up to 2,844 feet in length.

ANALYSIS:

The Planning and Zoning Commission may authorize exceptions from standards of the Subdivision Ordinance. The Planning and Zoning Commission may authorize such exceptions when, in its opinion, compliance would not be in the public interest. In granting an exception, the Planning and Zoning Commission shall prescribe only conditions that it deems necessary or desirable in the public interest.

In making its findings, the Planning and Zoning Commission shall take into account the nature of the proposed use of the land involved, existing uses of land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such exception upon traffic conditions and upon the public health, safety, convenience, and welfare in the vicinity.

No exception shall be granted unless the Planning and Zoning Commission finds:

1. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of the standards would deprive the applicant of the reasonable use of the land.

The primary reason for limiting the length of cul-de-sacs is to provide clear access for emergency and waste collection vehicles. As the street gets longer, properties accessible from only one direction become more isolated and difficult to reach. In addition, limiting the length of cul-de-sacs reduces the number of vehicles and therefore traffic in residential areas.

While the aforementioned intent of the Subdivision Ordinance is still valid, staff believes that, in this particular case, the specific configuration and topographic features of the subject acreage, portions of which are only 300 feet wide but more than 3,000 feet in depth, poses a challenge to developing this tract in conformance with all applicable subdivision regulations.

In order to mitigate the above-described effect of an extraordinary long cul-de-sac, the developers are proposing two street extensions that will enable future development on adjacent tracts to connect to this proposed cul-de-sac. This proposed subdivision would thereby allow for connectivity in this vicinity rather than being a pocket development. Staff believes that the proposed layout of streets in this planned subdivision will have the most likely long-range benefit, balancing both public and private purposes.

2. That the exception is necessary for the preservation and enjoyment of the property.

Staff believes that the specific configuration and topographic features of the subject acreage justifies the requested exception from the maximum 1,200-foot cul-de-sac length standard. It is important to note that with the proposed street extensions planned to connect to Field Creek Estates Drive, the proposed subdivision meets all other applicable street design standards of the Subdivision Ordinance

3. That the granting of the exception will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area.

Staff believes that granting the exception will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area.

4. That the granting of the exception will not have the effect of preventing the orderly subdivision of adjoining land in the vicinity in accordance with the provisions of this Ordinance.

Staff believes granting of the exception will not have the effect of preventing the orderly subdivision of adjoining land in the vicinity in accordance with the provisions of the Subdivision Ordinance. In fact, staff believes that the proposed development will contribute significantly to the orderly development of adjoining land by providing opportunity to interconnect future subdivisions in this vicinity.

RECOMMENDATION:

Staff recommends **approving** the requested exception.